IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 4346/2007

INDER Vs. ADDITIONAL DISTRICT JUDGE NO.1, BAYANA & ORS.

DATE: 01.08.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Ashok Yadav for the petitioner.

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This writ petition is directed against the judgment dated 13.02.2007 passed by the Additional District Judge No.1, Bayana, District Bharatpur.

Having heard learned counsel for the petitioner and upon careful perusal of the impugned judgment dated 13.02.2007, I find no illegality in the impugned judgment as the Court below has rightly observed that the petitioner has every right to verify the statement of account of the bank if any wrong is committed by the bank in the account and with regard to the Matador, the petitioner can initiate action against the Company and the recovery which is made against the loan amount due against the petitioner, cannot said to be illegal. Thus, I find no illegality in the impugned judgment dated 13.02.2007 passed by the Additional District Judge No.1, Bayana.

At this stage, the petitioner submits that he is ready to deposit the outstanding amount due against him after verifying the statement of account.

In case the petitioner submits details of the deposit made by him within a period of one week, the Bank shall verify the same and shall issue fresh statement of account and in view of the statement of account prepared by the Bank, if the petitioner deposits the entire amount within a period of three days after receipt of fresh statement of account, then auction may be stayed, but in case the petitioner failed to deposit the outstanding amount, the respondents are at liberty to continue with the recovery proceedings.

With the aforesaid observations, the writ petition stands disposed of.

(K.S. RATHORE),J.

/KKC/